

1  
2 BILL NO. S-77-08-<sup>26</sup>~~08~~

3 SPECIAL ORDINANCE NO. S-184-77

4 AN ORDINANCE approving an  
5 expenditure of \$25,000.00 for  
6 the renovation of the Martin  
7 Luther King Center.

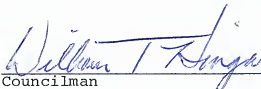
8 WHEREAS, since the beginning of the Martin Luther  
9 King Center in 1968, there has been an attempt to meet the  
10 educational, recreational and social needs of peoples in  
11 the community by creating programs, activities, transportation  
12 and recreation around the basic needs and interests of the  
13 people we serve; and

14 WHEREAS, there is a need to renovate the Martin  
15 Luther King Center by installing a ramp to sllow persons in  
16 wheel chairs to participate in the activities, installing  
17 new bathrooms, lowering the ceiling to save in the cost of  
18 heating, repair the roof, install insulation, install carpeting,  
19 paint and other miscellaneous items at a cost of approximately  
20 \$25,000.00.

21 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON  
22 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

23 SECTION 1. That the renovation of the Martin  
24 Luther King Center for an approximate cost of \$25,000.00  
25 is hereby in all things ratified, confirmed and approved.

26 SECTION 2. This Ordinance shall be in full force  
27 and effect from and after its passage and approval by the  
28 Mayor.

29   
30 Councilman

31  
32  
33  
34  
35 APPROVED AS TO FORM  
AND LEGALITY,  
  
CITY ATTORNEY

Read the first time in full and on motion by Henry, seconded by

V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8-23-77

Charles W. Winters  
CITY CLERK

Read the third time in full and on motion by Henry,

seconded by Talarico, and duly adopted, placed on its passage.

PASSED (~~45-10~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>2</u>		<u>1</u>	
<u>BURNS</u>		✓			
<u>HINGA</u>	✓				
<u>HUNTER</u>	✓				
<u>MOSES</u>				✓	
<u>NUCKOLS</u>	✓				
<u>SCHMIDT, D.</u>		✓			
<u>SCHMIDT, V.</u>	✓				
<u>STIER</u>	✓				
<u>TALARICO</u>	✓				

DATE: 9-13-77

Charles W. Winters  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 184-77 on the 13th day of September, 1977

ATTEST: (SEAL)

Charles W. Winters  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Winters  
CITY CLERK

Approved and signed by me this 14th day of September, 1977

at the hour of 3:20 o'clock \_\_\_\_\_ M., E.S.T.

Robert Armstrong  
MAYOR

Bill No. S-77-08-26

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
approving an expenditure of \$25,000.00 for the renovation of the Martin  
L uther King Center

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance DO PASS.

- WILLIAM T. HINGA - CHAIRMAN
- JAMES S. STIER - VICE CHAIRMAN
- VIVIAN G. SCHMIDT
- PAUL M. BURNS
- FREDRICK HUNTER

*William T Hinga*  
*James S Stier*  
*Vivian G Schmidt*

9-13-77 CONCURRED IN  
DATE 9-13-77 CHARLES W. WOODWARD, CITY CLERK

## Memorandum

To City Attorney's Office Date August 2, 1977  
From C. James Owen  
Subject Special Ordinance for MLK Center

COPIES TO:

File

The following information is included to support the request for action.

The \$25,000 we are requesting approval for will come from the 1st year Community Development Fund. The specific fund will be the Public Works, Facilities appropriations. The services used will be contractual. The fund number is 95-950-200. The balance of this fund as of July 31, 1977 is \$167,350.

# Memorandum

To Carolyn Nightingale

Date 4/14/77

From Dick Stumpf

Subject MLK Preliminary Estimate

## COPIES TO:

<u>DESCRIPTION</u>	<u>COST</u>
1. N.W. entrance: one pair of hollow metal doors & frame with hardware (panic device, push-pull, lock, closer, hinges)	\$550.00
2. Concrete ramps to the entrance.	600.00
3. Auditorium floor covering: carpet with approved smoke and flame spread ratings. (1,800 sq.ft.)	2,000.00
4. Remove old restroom in rectory and install two new restrooms in existing office area (see drawing).	5,000.00
5. Office floor surfacing and repair (700 sq.ft.).	2,000.00
6. Insulation	2,000.00
7. Interior painting, auditorium offices, restrooms.	2,000.00
8. Roof repair.	500.00
9. Minor kitchen improvement.	500.00
10. Exterior painting, tuck pointing, gutter repair, trim repair, opening repair, eave repair and site improvement.	7,000.00
11. Close off upstairs.	200.00
12. Miscellaneous electrical and plumbing requirements.	2,000.00
TOTAL:	24,350.00

The above repairs, contingent on inspection and approval by Building Department and Fire Inspector, will make the MLK Center operational.

## THE MARTIN LUTHER KING CENTER

### BRIEF HISTORY

The Martin Luther King Center opened on June 24, 1968 at 1127 Maumee Avenue. The Center has continued operations since that date hiring a full time Director in October of 1968. The Center moved to larger facilities, 1215 Harmar Street in May 1971 because the community needs encouraged the Center to expand its program.

Since the beginning of the Martin Luther King Center in 1968, we have attempted to meet the educational, recreational, and social needs of people in the community. We have met these needs by creating programs, activities, transportation, and recreation around the basic needs and interests of the people we serve.

The Martin Luther King Center had been leasing the Building at 1215 Harmar Street for \$1.00 a year since May 1971. Since that time, the Greater Fort Wayne Lutheran Churches made a donation of the building to the Center in August 1975, but due to lack of funds, the Center has not been able to utilize the Recreation Room/Auditorium part of the building as a drop-in Center. The carpets are old and have tears, which are becoming dangerous to Senior Citizens and youths participating in movement activities. The floors

need leveling and have some holes. There is a need for a crash bar, a ramp to allow persons in wheel chairs to be able to participate in community activities, and new bathrooms. Now they must go through the Center, up and down steps into a dark, dingy basement. We also need to lower the ceiling to cut the cost of the heating bill.

The Center is managed and directed by a Board of Directors. Most of them are or have been residents of the Inner-city. The present staff consists of an Executive Director, Assistant Director, Outreach Worker, Secretary, Clothing Clerk, and two Heavy Maintenance workers.

#### BOUNDARIES

The majority of the Center's clients are encompassed in the East Central Neighborhood Association, Lafayette on the west, Anthony Boulevard on the east, Maumee River on the north, and the Norfolk & Western Railroad on the south. However, we do not limit our services to the above-mentioned area. We are concerned about and work with all people in the Fort Wayne area. We therefore welcome all people who need assistance.

#### STATEMENT OF PURPOSE

The purpose of the Center is to serve the needs of the people of the neighborhood...needs determined by the residents. The Center shall also seek to foster better lines of communication (between the residents of

the immediate neighborhood). Through dialogue between persons meeting at the Center, we hope that people will better understand their attitudes and be able to modify them if possible and when necessary.

It is a further purpose of the Center to foster greater understanding between Black and White people in the movement for racial justice, to lessen neighborhood tensions, to eliminate prejudice and discrimination, to defend human and civil rights secured by law and combat community deterioration. The Center is a place where people can become involved in serving each others needs.

#### MARTIN LUTHER KING SOCIAL SERVICES

To develop programs accomplish the above purpose, Martin Luther King Social Services has been included as an activity to be funded in the City's CDBG program. This activity provides social support beneficial to housing improvement and other physical development activities in East Central. Clients served are exclusively low-and moderate-income. The staff will provide direct service for housing program applicants in East Central, assistance in neighborhood communications concerned with the Community Development Program, and in organizing the neighborhood. Discretionary funding is needed to fund the salary of a Community Resource Person requested by the Center. This new staff person can assist target area residents in defining problems and solutions and will develop programs to meet the needs of residents. With some financial assistance such as



the Community Development Block Grant, we can expand our work, meeting social, educational, recreational, and economical needs of the residents of the East Central target neighborhood. This work, too, is most vital and necessary in improving the quality of life in our neighborhood.

#### ADDITIONAL INFORMATION

The Center is open daily from 9 A.M. to 5 P.M. with extended hours for special classes and activities. The Center will extend regular hours to 10 P.M. and later for special events during the summer and 9 P.M. for Karate, TOPS and sewing classes during the fall and winter months.

#### LEGAL STATUS OF ORGANIZATION

incorporated  
tax exempt under 501 (C) (3) of Internal Revenue Code  
tax exempt #35-115-2698  
non-profit  
Our organization operates on a non-sectarian, non-discriminatory basis.

If you have any further questions feel free to contact the Center. 742-1364

#### IN SUM

The Martin Luther King Center provides a unique and much needed service not only to the residents of East Central, but to all the citizens of Fort Wayne. It provides us with an excellent opportunity to coordinate programs of physical improvements with the support services needed to make our efforts successful.



REGION V  
300 South Wacker Drive  
Chicago, Illinois 60606

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
INDIANAPOLIS AREA OFFICE  
WILLOWBROOK 5 BUILDING, 4720 KINGSWAY DRIVE  
INDIANAPOLIS, INDIANA 46205

8 9 APR 1977

IN REPLY REFER TO:  
5.4DM:SM

C. James Owen, Ph.D., Director  
Community Development & Planning  
City-County Building  
One East Main Street  
Ft. Wayne, Indiana 46802

Dear Dr. Owen:

Subject: Request for Eligibility Determinations  
Ft. Wayne, Indiana  
B-76-MO-18-0003

This letter is in response to your request for the following eligibility determinations on three separately proposed projects in Ft. Wayne:

1. Street Outreach Program

The Street Outreach Program, as described in the attachment to your letter, appears to be an eligible activity provided that it complies with the requirements of Part 570.200(a)(8) (revised Sept. 1, 1976) of the Block Grant Regulations. Specifically, the program must be run in designated target areas where other physical development activities are being carried out in a concentrated manner, such as rehabilitation and code enforcement programs. Additionally, your office must determine that the activity is necessary and appropriate to support the physical development activities. It will be necessary in the application to show a supporting relationship between the physical development activities and the Outreach Program.

\*  
HUD  
APPROVAL  
2. Renovation of the Martin Luther King Center

In accordance with Part 570.200(a)(2)(i) of the Block Grant Regulations, renovation of the Martin Luther King Center is an eligible activity provided that the facility serves a particular neighborhood and provides services for that area.

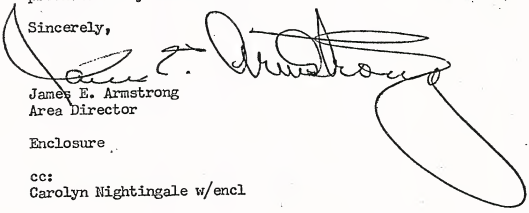
3. Provision of Services at Martin Luther King Center

An eligibility determination was requested as to whether the salary for a Community Resource Person to staff the subject Center could be paid out of Block Grant funds. Your letter also cites several social services which would be provided at the Center if they were

eligible CDBG expenditures. In order to be eligible, the salary for the Resource Person and the various services must be in compliance with the criteria set forth in paragraph #1 above. One proposed service, described in the Center's budget as Replenish Bookstore and Library Reference Books, is not however an eligible expenditure.

Should you have any additional questions concerning activity eligibility, please do not hesitate to contact Sandy Moehn, CFD Representative, at (317) 269-7302. A copy of the revised Public Service regulations is provided for your information.

Sincerely,



James E. Armstrong  
Area Director

Enclosure

cc:  
Carolyn Nightingale w/encl

**Title 24—Housing and Urban Development**  
**CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. R-70-292]

**PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS**

**Eligible Activities**

On March 1, 1976, the Department of Housing and Urban Development published in the *FEDERAL REGISTER* (41 FR 8797) a notice of proposed rulemaking for determining the eligibility of public services and certain public works to be carried out under the community development block grant program under Title I of the Housing and Community Development Act of 1974. Interested persons were given until March 25, 1976, to submit written comments. All comments with respect to the proposed rulemaking were given due consideration.

As a result of the comments received, the following changes were made:

1. A number of comments, including a joint comment by Senator William Proxmire, Chairman, Senate Committee on Banking, Housing and Urban Affairs, and Congressman Henry S. Reuss, Chairman, House Committee on Banking, Currency and Housing, indicated that the proposed inclusion of sewage treatment works as an eligible activity was contrary to the Housing and Community Development Act of 1974. The Conference Report of the 1974 Act states (at page 128) that it "makes clear that the construction of a particular facility is eligible (under title I) only if previously eligible under any consolidated [categorical] program, except the public facility loan program or the model cities program, or specifically mentioned in the conference report. Sewage treatment works were not eligible under the basic water and sewer grant program and are not listed in the Housing and Community Development Act of 1974. Accordingly, the revisions to paragraph (a) (2) (vi) of § 570.200 and paragraph (a) (7) of § 570.201 which proposed the deletion of the exclusion of sewage treatment works have been eliminated.

There were many comments requesting details concerning the eligibility of the administration of sewage treatment facilities for funding under the community development block grant program. As the proposed deletion of such facilities has been eliminated from consideration, the discussion of these issues is unnecessary.

2. In response to several comments, the language of the first paragraph of § 570.200(a) (8) has been clarified to indicate that public services, otherwise eligible, may be provided by State and local governments, quasi-public, private or non-profit agencies selected by the applicant.

3. The language of paragraph (a) (8) (i) of § 570.200 has been clarified to indicate that public services must principally serve the needs of residents of areas where physical development activities are to be carried out with block grant assistance and may only incidentally

be used to serve other residents of community.

4. A number of comments requested a definition of the term "area." Paragraph (a) (8) (i) of § 570.200 has been clarified to indicate that an "area" is a designated geographical area identified by census tracts or enumeration districts on maps which are a part of the Community Development Program submitted pursuant to paragraph (b) of § 570.303.

5. A number of comments referred to the statutory requirement that "other activities assisted under this Title are being carried out in a concentrated manner." Accordingly, paragraph (a) (8) (ii) of § 570.200 has been clarified to indicate that within the areas where public services will be provided, the physical development activities assisted by the community development block grant program must be carried out in a concentrated manner.

6. The language of paragraph (a) (8) (ii) of § 570.200 has been modified to provide a definition of the term "concentrated manner." The definition requires that the physical development activities are being carried out in a coordinated manner to serve a common objective or purpose pursuant to a locally developed plan or strategy in a geographically delineated area, such as an urban renewal area, a concentrated code enforcement and rehabilitation area, or similar area with a comprehensive physical development program for neighborhood improvement, conservation, or preservation. The paragraph also has language clarifying which block grant activities are considered as physical development activities for the purposes of this section.

7. The language of paragraph (a) (8) (iii) of § 570.200 has been clarified to provide a definition of the term "not be otherwise available," which indicates that a public service shall either be a new service or a quantifiable increase in the level of a public service above that currently being provided from local sources. Any increase of funding provided by community development block grant program funds for an existing service is not to be used to compensate for the added costs of operating the public service at its current level due to inflation, salary escalations, and similar cost increases. The use of program funds to augment a public service currently being provided by local sources must result in an actual increase in the level of the service being provided to residents (e.g., a greater number of residents receive the service).

8. A number of comments referred to the statutory requirement that a public service support other activities. Accordingly, paragraph (a) (8) (iv) of § 570.200 requires that the applicant first make a determination that public services are necessary or appropriate to support physical development activities. The Department of Housing and Urban Development does not require that the applicant include the specific determination of support for each public service included in its application. Rather, the ap-

plicant, having determined that a proposed public service included in the Community Development Program pursuant to paragraph (b) of § 570.303 meets the support criteria, shall then indicate an appropriate relationship within the description of short term objectives in the community development plan summary pursuant to paragraph (a) of § 570.303. No additional documentation or submission will normally be required. The Secretary will accept the applicant's determination unless there is substantial evidence to the contrary, in which case, pursuant to paragraph (b) (1) of § 570.306, the Secretary may require additional information or assurances from the applicant prior to his determination of eligibility.

Several comments requested clarification whether paragraph (a) (9) of § 570.200, which permits the use of program funds to match other Federal grants, applies to public services provided under paragraph (a) (8) of § 570.200. If all the requirements of paragraph (a) (8) of § 570.200 are complied with, in such cases, then paragraph (a) (9) of § 570.200 would apply.

Several comments indicated support for local determination of the appropriateness of public services. This is included in paragraph (a) (8) (iv) of § 570.200.

Several comments were made regarding the eligibility of communitywide facilities pursuant to paragraph (a) (2) of § 570.200. As this was not the subject of the proposed revisions to the regulations, these comments were not appropriate for consideration in the current matter. These comments will be considered at such time as paragraph (a) (2) of § 570.200 is reviewed for potential revision.

This amendment to paragraph (a) (8) of § 570.200 is effective for all applications for entitlement and discretionary funds to be granted from appropriations for Fiscal Year 1977 and thereafter. All mid-program year amendments received by HUD on or after October 1, 1976, regardless of the Fiscal Year from which the funds were appropriated, are subject to these amended provisions of paragraph (a) (8) of § 570.200. Applications for entitlement and discretionary funds to be granted from appropriations for Fiscal Year 1976, regardless of the actual date of receipt by HUD, and mid-program year amendments to ongoing community development block grant programs received by HUD on or before September 30, 1976, are subject to the provisions of paragraph § 570.200 as published on January 19, 1976, in the *FEDERAL REGISTER* (41 FR 2766). The effective date has been delayed in order to provide advance notice to applicants of the revisions and to complete the review of entitlement and discretionary applications presently on hand or expected to be submitted to HUD in the near future.

In connection with the environmental review of these amendments to the regulations, a Finding of Inapplicability has been made under HUD Handbook 1390.1, 38 FR 19182. A copy of the Finding is

available for inspection in the Office of the Rules Docket Clerk, Room 10141, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C.

It is hereby certified that the economic and inflationary impacts of these amendments have been carefully evaluated in accordance with OMB Circular A-107.

In consideration of the foregoing, 24 CFR Part 570 is amended by revising § 570.200(a) (8) to read as follows:

§ 570.200 Eligible activities.

(a) (8) Provision of public services which are directed toward improving the community's public services and facilities, including those concerned with employment, economic development, crime prevention, child care, health, drug abuse, education, welfare, or recreational needs, and which are directed toward coordinating public and private development programs. Such services may be provided by State or local governments, quasi-public, private, or nonprofit agencies selected by the applicant for funds provided under this Part. Public services must meet the following criteria:

(i) Public services must principally serve residents of those areas identified, by census tracts or enumeration districts, on the maps and in the Community Development Program submitted pursuant to § 570.303(b) in which physical development activities are to be carried out with assistance provided under this Part. Such services must be directed toward meeting the needs of residents of such areas and funds available under this Part for such services may only incidentally be used to serve other residents of the applicant jurisdiction.

(ii) The applicant's Community Development Program must indicate that within the areas referred to in paragraph

(a) (8) (i) of this section, other physical development activities assisted under this Part shall be carried out in a concentrated manner. Such physical development activities include only those described in § 570.200(a) (1)-(5), (7), and (9)-(10). The phrase "concentrated manner" shall mean that the physical development activities are being carried out in a coordinated manner to serve a common objective or purpose pursuant to a locally developed plan or strategy in a geographically delineated area, such as an urban renewal area, a concentrated code enforcement and rehabilitation area, or similar area with a comprehensive, physical development program for neighborhood improvement, conservation, or preservation.

(iii) Public services assisted under this Part must not be otherwise available. For the purpose of this paragraph, "not be otherwise available" means a new service is being assisted or that there is a quantitative increase in the level of a service above that currently being provided from local sources. Also, Federal assistance in providing or securing such services must have been applied for and denied or not made available pursuant to the provisions of § 570.607.

(iv) Such services must be determined first by the applicant to be necessary or appropriate to support the physical development activities identified within the same delineated areas set forth in the Community Development Program. The specific determination of support for each proposed public service in an application for assistance under this Part is not required to be included in the application. Rather, having determined that each public service to be included in an application complies with the support requirement, the applicant shall indicate the appropriate relationship within the description of short-term objectives in

the Community Development Plan Summary pursuant to § 570.303(a). The Secretary will accept the applicant's determination unless there is substantial evidence to the contrary, as described in § 570.306(b) (1), in which case additional information or assurances may be requested from the applicant prior to a determination of eligibility by the Secretary.

(v) Effective date: (A) This amendment to § 570.200(a) (8) becomes effective as to all applications for entitlement or discretionary funds pursuant to Subpart D and Subpart E, respectively, of this Part, to be granted from appropriations for Fiscal Year 1977 and thereafter and for mid-program year amendments pursuant to § 570.305(a) to Ongoing community development block grant programs received by HUD on or after October 1, 1976. (B) All applications for entitlement and discretionary funds pursuant to Subpart D and Subpart E, respectively, of this Part, to be granted from appropriations for Fiscal Year 1976, regardless of actual date of receipt by HUD, and all mid-program year amendments pursuant to § 570.305(a) received by HUD on or before September 30, 1976, shall be subject to the provisions of § 570.200(a) (8) as published on January 19, 1976, in the FEDERAL REGISTER (41 FR 2766).

(Title I of the Housing and Community Development Act of 1974, 42 U.S.C. 5301 et seq.; sec. 7(d) HUD Act, 42 U.S.C. 3535(d))

Effective date: This regulation shall be effective on September 1, 1976.

DAVID O. MEEKER, JR.,  
FAIA, AIP Assistant Secretary  
for Community Planning and  
Development.

[FR Doc.76-25356 Filed 8-31-76; 8:45 am]

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

*L-77-08-26*

TITLE OF ORDINANCE Special Ordinance approving an expenditure of \$25,000 for the renovation of the Martin Luther King Center

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning  
(Community Development Block Grant)

SYNOPSIS OF ORDINANCE Special Ordinance approving an expenditure

of \$25,000 for the renovation of the Martin Luther King Center

EFFECT OF PASSAGE Able to renovate Martin Luther King Center

EFFECT OF NON-PASSAGE Unable to renovate the Martin Luther King Center

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$25,000

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

*[Signature]*  
*R. Smith*